

No. ID/FD/45-84/31878—83, dated 28th August, 1984 to adjudicate upon the dispute of service matter covered by Second Schedule under Section 7 of the said Act arisen between Shri Ishwar Dutt, workman and the respondent management of M/s. S. G. Steels Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh. Accordingly, it has been registered as reference No. 323 of 1984.

2. Briefly the facts of the case are that the petitioner was in the employment of the respondent as a Crane Driver since 27th September, 1978 and his services were terminated on 3rd March, 1984. The allegations have been that he was ousted from the employment in a arbitrary manner and on the face of it the order is null and void, illegal and against the principle of natural justice. Accordingly request has been made to reinstate him with full back wages. The reference has been received with the following issue :—

Whether the services of Shri Ishwar Dutt were legally and rightly terminated and if not, what type of relief he is entitled for ?

3. On notice the respondent appeared and filed written statement contesting the said claim. Reojinder was also filed by the workman. My learned predecessor had framed the following issues on 9th April, 1985:—

1. Whether the enquiry is fair and proper ?
2. As per reference ?
3. Whether the claimant is gainfully employed ?

4. Now the parties have settled the dispute and to that effect their statements have also been recorded. This workman has accepted the amount of Rs. 5,000 as compensation towards full satisfaction of his claim and now he would not be entitled for reinstatement/re-employment. The reference made by the Government is accordingly disposed of and no further action in the matter is needed.

A. S. CHALIA,

Dated the 8th July, 1986.

Presiding Officer,
Labour Court,
Faridabad.

Endst No. 1575, dated the 10th July, 1986

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 4 of Section 33-C of the Industrial Dispute Act, 1947.

A. S. CHALIA,
Presiding Officer,
Labour Court,
Faridabad.

No. 9/86-6 Lab./6298.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the Workman and the management of M/S Steels S. G. Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh

IN THE COURT OF SHRI A. S. CHALIA PRESIDING OFFICER, LABOUR COURT
FARIDABAD

Reference 59 No. of 1985

between

SHRI PHOOL SINGH, WORKMAN AND THE RESPONDENT-MANAGEMENT
OF M/S S. G. STEELS PVT. LTD., PLOT NO. 6, SECTOR 4, BALLABGARH.

Present .—

Shri Manohar Lal, for the workman.

Shri A. K. Sharma, Manager with Shri Ashwani Sukhija for the respondent-Management.

AWARD

This reference under section (10)(i)(c) of Industrial Disputes Act, 1947 (Act, No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour,—vide its endorsement No. ID/FD/188-84/5865-70, dated 15th February, 1985 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act arisen between Shri Phool Singh, workman and the respondent-management of M/s S.G. Steels Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh. Accordingly it has been registered as reference No. 59 of 1985.

2. Briefly the facts of the case are that the petitioner was in the employment of the respondent as a Furnace Operator since 16th December, 1976 and his services were terminated on 13th October, 1984. The allegations have been that he was ousted from the employment in an arbitrary manner and on the face of it, the order is null and void, illegal and against the principle of natural justice. Accordingly request has been made to reinstate him with full back wages. The reference has been received with the following issues:—

Whether the services of Shri Phool Singh were legally and rightly terminated and if not what type of relief he is entitled for ?

3. On notice the respondent appeared and filed written statement contesting the said claim. Rejoinder was also filed by the workman. My learned predecessor had framed the following issues on 24th July, 1985 :—

1. Whether the enquiry is fair and proper ?
2. Whether the workman is gainfully employed ?
3. As per reference ?

4. Now the parties have settled the dispute and to that effect their statements have also been recorded. This workman has accepted the amount of Rs. 11,800 as compensation towards full satisfaction of his claim and now he would not be entitled for reinstatement/re-employment. The reference made by the Government is accordingly disposed of and no further action in the matter is needed.

Dated, the 8th July, 1986.

A. S. CHAILA,

Presiding Officer,
Labour Court,
Faridabad.

Endst. No. 1579, dated the 10th July, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHAILA,

Presiding Officer,
Labour Court,
Faridabad.

No. 9/8/86-6-Lab./6470.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. D. J. Chemical, Plot No. 79, Sector 24, Faridabad:—

**IN THE COURT OF SHRI A. S. CHAILA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD**

**Reference No. 110 of 1986
between**

**SHRI JAIPAL, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S. D.J.
CHEMICAL, PLOT NO. 79, SECTOR 24, FARIDABAD**

Present.—

None, for the workman.

Shri M. K. Bhandari, for the respondent-management.

AWARD

This reference under section 10 (i) (c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its endorsement No. ID/FD/12-86/12580-84, dated 9th April, 1986 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Jai Pal, workman and the respondent-management of M/s. D. J. Chemical, Plot No. 79, Sector 24, Faridabad. Accordingly it has been registered as reference No. 110 of 1986.

2. The facts of the case are that Shri Jai Pal was employed by the respondent on 7th September, 1984 as a Pressman at monthly wages of Rs. 700. The allegations are that his services were terminated w.e.f. 25th November, 1985 without any valid reason and the order has been passed in an arbitrary manner. Accordingly he has requested to be reinstated with full back wages.

3. Notice of the reference was issued to the respondent and Shri Jai Pal, workman had noted on 12th June, 1986 to appear today but he has not turned up. His case has been called for a number of times. On the other hand Shri M. K. Bhandari has appeared on behalf of the respondent. It amounts that the workman is not interested in pursuing his claim petition and as such same is dismissed in default. It is accordingly disposed of and no action is needed.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Dated the 17th July, 1986.

Endst. No. 1754, dated the 24th July, 1986

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6 Lab./6471.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Escorts Ltd., Plot No. 2, Tractor Division, Faridabad— :

**IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD**

Reference No. 578 of 1985

between

SHRI CHAIN SUKH, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S
ESCORTS LTD., PLOT NO. 2, TRACTOR DIVISION, FARIDABAD.

Present :

Workman in person.

Shri B. B. Mahajan, for the respondent-management.

AWARD

This reference under section 10(i)(c) of Industrial Dispute Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its Endorsement No. ID/FD/207-85/38303-8, dated 17th September, 1985, to adjudication upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Chain Sukh, workman and the respondent-management of M/s Escorts Ltd., Plot No. 2, Tractor Division, Faridabad. Accordingly, it has been registered as reference No. 578 of 1985.

2. The facts of the case are that Shri Chain Sukh was employed by the respondent on 3rd May, 1984 as a helper. The allegations are that his services were terminated with effect from 22nd May, 1985 without any valid reason and the order has been passed in an arbitrary manner. Accordingly, he has requested to be reinstated with full back wages. The reference has been received with the following issue:—

Whether the termination of services of Shri Chain Sukh was justified and in order? If not, what type of relief he is entitled for?

3. The parties have settled their dispute at their own level and memorandum of settlement has been produced on the file. Accordingly, I have recorded their statements and as agreed upon the workman would be re-employed today afresh. It has been stated by the workman that no other claim of his has been pending with the respondent. The reference is accordingly answered to the effect that the matter has been finally settled by the parties. No further action is needed.

Dated the 17th July, 1986.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 1755, dated the 24th July, 1986.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/86-6Lab./6472.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. S. G. Steels Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh :—

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 63 of 1985

between

SHRI SITA RAM WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S S. G. STEEL
PVT. LTD., PLOT NO. 6, SECTOR 4, BALLABGARH

Present :

Shri Manohar Lal, for the workman.

Shri A. K. Sharma, Manager with Shri Ashwani Sukhija, for the respondent-management.

AWARD

This reference under section 10 (i) (c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its endorsement No. ID/FD/121-84/6131--37, dated 18th February, 1985 to adjudicate upon the dispute of service matter covered by Second Schedule under Section 7 of the said Act, arising between Shri Sita Ram, workman and the respondent-management of M/s.S.G. Steel Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh. Accordingly it has been registered as reference No. 63 of 1985.

2. Briefly the facts of the case are that the petitioner was in the employment of the respondent as a Chipper Man since 28th August, 1978. The allegations have been that he was ousted from the employment in an arbitrary manner and on the fact of it the order is null and void, illegal and against the principles of natural justice. Accordingly request has been made to reinstate him with full back wages. The reference has been received with the following issues :—

Whether the services of Shri Sita Ram, were legally and rightly terminated and if not to what type of relief he is entitled for?

3. On notice the respondent appeared and filed written statement contesting the said claim. Rejoinder was also filed by the workman. My learned predecessor had framed the following issues on 24th July, 1985 :—

- (1) Whether enquiry is fair and proper ?
- (2) Whether the workman is gainfully employed ?
- (3) As per reference ?

4. Now the parties have settled the dispute and to that effect their statements have also been recorded. This workman has accepted the amount of Rs 6,000.00 as compensation towards full satisfaction of his claim and now he would not be entitled for reinstatement/re-employment. The reference made by the Government is accordingly dispensed of and no further action in the matter is needed.

A. S. CHALIA,

Dated the 8th July, 1986.

Presiding Officer,
Labour Court, Faridabad.

Endst. No. 1752, dated the 24th July, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./6473.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. S. G. Steel Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh :—

**IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD**

Reference No. 327 of 1984

between

**SHRI MANGAL SINGH, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S. S. G. STEEL PVT. LTD., PLOT NO. 6, SECTOR 4, BALLABGARH**

Present:

Shri Manohar Lal, for the workman.

Shri A. K. Sharma, Manager with Shri Ashwani Sukhija, for the respondent-management.

AWARD

This reference under Section 10 (i)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (herein referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its endorsement No. ID/FD/45-84/31906-11, dated 28th August, 1984 to adjudicate upon the dispute in service matter covered by Second Schedule under Section 7 of the said Act, arisen between Shri Mangal Singh, workman and the respondent-management of M/s. S. G. Steel Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh. Accordingly, it has been registered as reference No. 327 of 1984.

2. Briefly the facts of the case and that the petitioner was in the employment of respondent as a Helper since 20th December, 1976. The allegations have been that he was ousted from the employment in a arbitrary manner and on the fact of it the order is null and void, illegal and against the principles of natural justice. Accordingly request has been made to reinstate him with full back wages. The reference has been received with the following issue:—

- (i) Whether the services of Shri Mangal Singh, were legally and rightly terminated and if not, what type of relief is he entitled for ?

3. On notice the respondent appeared and filed written statement contesting the said claim. Rejoinder was also filed by the workman. My learned predecessor had framed the following issues on 19th September, 1984 :—

- (i) Whether the enquiry is fair and proper?
- (ii) As per reference ?

4. Now the parties have settled dispute and to that effect their statements have also been recorded. This workman has accepted the amount of Rs. 5500 as compensation towards full satisfaction of his claim and now he would not be entitled for reinstatement/re-employment. The reference made by the Government is accordingly disposed of and no further action in the matter is needed.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Dated the 8th July, 1986.

Endst. No. 1748, dated the 24th July, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/86-6Lab./6474.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s S. G. Steels Pvt. Ltd., Plot No. 6, Sector-4, Ballabgarh:—

**IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD**

Reference No. 322 of 1984

between

**SHRI AAS MOHD, WORKMAN AND THE RESPONDENT MANAGEMENT OF M/S S. G. STEELS
PVT. LTD., PLOT NO. 6, SECTOR 4, BALLABGARH**

Present.—

Shri Manohar Lal for the workman.

Shri A. K. Sharma Manager with Shri Ashwani Sukhija for the respondent-management.

AWARD

This reference under section 10(i)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred to as the said Act) was made to this court by the State of Haryana (Department of Labour),—*vide* its endorsement No. ID/FD/45-84/31871-76, dated 28th August, 1984 to adjudicate upon the dispute of service matter covered by second schedule under section 7 of the said Act, arisen between Shri Aas Mohd, workman and the respondent-management of M/s S. G. Steels Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh. Accordingly it has been registered as reference No. 322 of 1984.

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2. Briefly the facts of the case are that the petitioner was in the employment of the respondent as an Electrician since 22nd February, 1966. The allegations have been that he was ousted from the employment in an arbitrary manner and on the fact of it the order is null and void, illegal and against the principles of natural justice. Accordingly request has been made to reinstate him with full back wages. The reference has been received with the following issue :—

Whether the services of Shri Sita Ram were legally and rightly terminated and if not what type of relief he is entitled for ?

3. On notice the respondent appeared and filed written statement contesting the said claim. Rejoinder was also filed by the workman. My learned predecessor had framed the following issues on 24th July, 1985 :—

- (i) Whether enquiry is fair and proper ?
- (ii) Whether the workman is gainfully employed ?
- (iii) As per reference ?

4. Now the parties have settled the dispute and to that effect their statements have also been recorded. This workman has accepted the amount of Rs. 8,100 as compensation towards full satisfaction of his claim and now he would not be entitled for reinstatement/re-employment. The reference made by the Government is accordingly disposed of and no further action in the matter is needed.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 1753, dated 24th July, 1986.

Forwarded (four copies) to the Commissioner & Secretary to Government, Haryana, Labour & Employment Department, Chandigarh as required under Section 15 of the Industrial Disputes Act.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./6475.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. S. G. Steel Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 169 of 1984

between

SHRI DHALLAN SINGH, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S
S. G. STEEL PVT. LTD., PLOT NO. 6, SECTOR 4, BALLABGARH

Present.—

Shri Manohar Lal for the workman.

Shri A. K. Sharma Manager with Shri Ashwani Sukhija respondent for the management.

AWARD

This reference under Section 10 (i)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its endorsement No. ID/FD/38-84/26085-90, dated 25th July, 1984 to adjudicate upon the dispute of service matter covered by second schedule under Section 7 of the said Act, arisen between Shri Dhallan Singh, workman and the respondent management of M/s S. G. Steels Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh. Accordingly it has been registered as reference No. 169 of 1984.

2. Briefly the facts of the case are that the petitioner was in the employment of respondent as a Welder since 1977. The allegations have been that he was ousted from the employment in an arbitrary manner and on the fact of it the order is null and void, illegal and against principles of natural justice. Accordingly request has been made to reinstate him with full back wages. The reference has been received with the following issue :—

(i) Whether the service of Shri Dhallan Singh were legally and rightly terminated if not what type of relief he is entitled for ?

3. On notice the respondent appeared and filed written statement contesting the said claim. Rejoinder was also filed by the workman. My learned predecessor had framed the following issues on 25th October, 1984 :—

(i) Whether enquiry is fair and proper ?

(ii) As per reference ?

4. Now the parties have settled the dispute and to that affect their statements have also been recorded. This workman has accepted the amount of Rs. 10,000.00 as compensation towards full satisfaction of his claim and now he would not be entitled for reinstatement/re-employment. The reference made by the Government is accordingly disposed of and no further action in the matter is needed.

A. S. CHALIA,

Dated 8th July, 1986.

Presiding Officer,
Labour Court, Faridabad.

Endst. No. 1756, dated the 24th July, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab/6476.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s S.G. Steels Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh :—

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 168 of 1984

between

SHRI PURAN CHAND, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S.
S. G. STEEL PVT. LTD., PLOT NO. 6, SECTOR 4, BALLABGARH

Present—

Shri Manohar Lal, for the workman.

Shri A. K. Sharma, Manager with Shri Ashwani Sukhija for the respondent-management.

AWARD

This reference is under section 10 (i) (c) of the Industrial Dispute Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its endorsement No. ID/FD/38-84/26078—83, dated 25th July, 1984 to adjudicate upon the dispute of service matter covered by second schedule under section 7 of the said Act, arisen between Shri Puran Chand workman and the respondent management of M/s. S. G. Steel Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh. Accordingly it has been registered as reference No. 168 of 1984.

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2. Briefly the facts of the case are that the petitioner was in the employment of the respondent as a Mason since 1977 and his services were terminated on 27th October, 1984. The allegations have been that he was ousted from the employment in an arbitrary manner and on the fact of it the order is null and void, illegal and against the principles of natural justice. Accordingly request has been made to reinstate him with full back wages. The reference has been received with the following issues:—

Whether the services of Shri Puran Chand were legally and rightly terminated and if not what type of relief he is entitled for ?

3. On notice the respondent appeared and filed written statement contesting the said claim. Rejoinder was also filed by the workman. My learned predecessor had framed the following issues on 24th July, 1985:—

- (1) Whether enquiry is fair and proper ?
- (2) Whether the workman is gainfully employed ?
- (3) As per reference ?

4. Now the parties have settled the dispute and to that effect their statements have also been recorded. This workman has accepted the amount Rs. 7,600 as compensation towards full satisfaction of his claim and now he would not be entitled for reinstatement/re-employment. The reference has made by the Government is accordingly disposed of and no further action in the matter is needed.

A. S. CHALIA,

Dated, the 8th July, 1986.

Presiding Officer,
Labour Court, Faridabad.

Endst. No. 1751, dated the 24th July, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./6477.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s S. G. Steel Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh:—

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 20 of 1984

between

SHRI DHAN SINGH, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S.
S. G. STEEL PVT. LTD., PLOT NO. 6, Sector 4, Ballabgarh.

Present.—

Shri Manohar Lal, for the workman.

Shri A. K. Sharma, Manager with Shri Ashwari Sukhija for the respondent-management.

AWARD

This reference under Section 10 (i) (c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana, (Department of

Labour),—vide its endorsement No. ID/FD/36-84/18970—75, dated 15th May, 1984 to adjudicate upon the dispute of service matter covered by second schedule under Section 7 of the said Act, arisen between Dhan Singh, workman and the respondent-management of M/s. S. G. Steels Pvt. Ltd., Plot No. 6, Sector 4, Ballabgarh. Accordingly it has been registered as reference No. 90 of 1984.

2. Briefly the facts of the case are that the petitioner was in the employment of respondent as a Mason Helper for the last seven years. The allegations have been that he was ousted from the employment in an arbitrary manner and on the fact of it the order is null and void, illegal and against the principles of natural justice. Accordingly request has been made to reinstate him with full back wages. The reference has been received with the following issue:—

Whether the services of Shri Dhan Singh were legally and rightly terminated and if not what relief is he entitled for ?

3. On notice the respondent appeared and filed written statement contesting the said claim. Rejoinder was also filed by the workman. My learned predecessor had framed the following issues on 19th September, 1984: —

(i) Whether enquiry is fair and proper?

(ii) As per reference?

4. Now the parties have settled the dispute and to that effect their statements have also been recorded. This workman has accepted the amount of Rs. 6,400 as compensation towards full satisfaction of his claim and now he would not be entitled for reinstatement/re-employment. The reference made by the Government is accordingly disposed of and no further action in the matter is needed.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 1750, dated the 24th July, 1986.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/6/86-6 Lab./6520.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s Municipal Committee, Panipat :—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 261 of 1984
(Old No. 238 of 1978)

SHRI RAM PARKASH, WORKMAN AND THE MANAGEMENT OF MESSRS
MUNICIPAL COMMITTEE, PANIPAT.

Present :

Shri Karan Singh, for the workman.

Shri S. Kaushal, for the respondent.

AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—vide clause (C) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 has referred dispute between Shri Ram Parkash C/o Shri Harbans Lal, General Secretary, The Karnal General Transport Workers Union (Regd.) House No. C-226, Mohalla Ghosian, Karnal and Messrs Municipal Committee, Panipat to Labour Court, Rohtak. The terms of the reference are as under:—

Whether termination of services of Shri Ram Parkash, was justified and in order, if not, to what relief is he entitled ?

Labour Court at Ambala was created in April, 1984. So this reference was received by Transfer. Workman through his demand notice alleged that he has been serving the respondent management as a Octroi Mohadar from 1971 to 12th April, 1978 and used to get Rs. 25/- P. M but he was illegally terminated. Certain junior persons to him were retained in service. He prayed for his reinstatement with continuity in service and with full back wages.

Respondent-management contested the dispute and contended that workman was never engaged on regular basis. He was employed on leave vacancy on the basis of the availability of such a vacancy and last time he remained in the employment of respondent-management on leave vacancy from January, 1978 to March, 1978. There was no question of termination of services of Shri Ram Parkash but in fact his services was for fixed period. As soon as that period expired his services automatically came to an end.

On the pleadings of the parties the following issues were framed :—

Issues

- (1) Whether the termination of services of workman was justified and in order, if not, to what relief is he entitled ?

I have heard Shri D. P. Pathak for the workman and Shri S. Kaushal, for the respondent-management and have perused the oral and documentary evidence placed on the file. My issue-wise findings are as under.

Issue No, 1

Management examined Shri Dharam Bir, Secretary as MW-1. He stated that up to 1974 and 1975 recruitment of staff of Municipal Committee used to be done directly as well as through Employment Exchange but in 1975 instructions were received from the Local Self Government that no direct recruitment be made except in those cases where some employee of the Municipal Committee dies during service. In those circumstances his next kith and kin be employed in his place to save his family from starvation. On the other hand workman examined WW-1. Shri Dhan Pat Rai WW-2 Shri Tara Chand both these witnesses also stated similar facts which have been deposed by Shri Dharam Bir, Secretary of Municipal Committee, Panipat.

Shri Ram Parkash even did not dare to appear in the witness box in support of his case.

In view of the above evidence it is evident that Shri Ram Parkash has been working only against leave vacancy in the employment. He was last employed from January, 1978 to March, 1978 for a fixed period as soon as the fixed period was over tenure of his service automatically expired. Candidates were requisitioned from Employment Exchange that list is Ex. M-4. Interview was held on 24th March, 1978 but the name of Shri Ram Parkash present applicant was not sponsored by the Employment Exchange, so he could not be selected.

In view of the above discussions I am of the considered view that Shri Ram Parkash, workman was employed against leave vacancy, he was not even employed on *ad hoc* or temporary basis. When regular interview was held and candidates were invited through Employment Exchange his name was not forwarded for interview. So he could not be selected. There is no evidence on the file that any other person junior to him working on leave vacancy arrangement was directly selected by the Municipal Committee, Panipat, so I think that there is no violation of section 25(F) of Industrial Disputes Act, 1947, so the alleged termination is just and correct. This issue is decided in favour of Municipal Committee, Panipat against workman, so this reference is answered accordingly.

V. P. CHAUDHARY,

Dated, the 19th June, 1986.

Presiding Officer,
Labour Court, Ambala.

Endorsement No. 1778, dated 21st June, 1986.

Forwarded (four Copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V.P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.